

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: SOCLEAN, INC. MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

This document relates to:

SoClean, Inc. v. Koninklijke Philips N.V., et al.,
2:22-cv-542

Master Docket: No. 22-mc-152

MDL No. 3021

(Oral Argument Requested)

**DEFENDANTS' MOTION TO DISMISS
SOCLEAN'S SECOND AMENDED COMPLAINT
UNDER RULE 12(b)(6) FOR FAILURE TO STATE A CLAIM**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants Philips RS North America LLC, Koninklijke Philips N.V., and Philips North America LLC (collectively, “Defendants”), through their undersigned counsel, respectfully move this Court for entry of an order dismissing Plaintiff SoClean, Inc.’s Second Amended Complaint (ECF No. 211; the “SAC”) in its entirety for failure to state a claim.

WHEREFORE, for the reasons set forth in the accompanying Memoranda of Law and accompanying exhibits, Defendants respectfully request that the Court enter an order (a) granting the Motion, (b) dismissing all counts in the SAC with prejudice, and (c) granting such other and further relief as the Court deems just and appropriate.

Defendants request oral argument on the Motion.

Dated: December 16, 2022

Respectfully submitted,

/s/ John P. Lavelle, Jr

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on December 16, 2022.

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